



# International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Distr.: General  
19 September 2024  
English  
Original: French  
English, French and Spanish only

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## Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Thirty-ninth session

Geneva, 2–13 December 2024

Consideration of reports submitted by States parties  
under article 73 of the Convention

## Replies of Benin to the list of issues in relation to its initial report\*

[Date received: 20 August 2024]

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\* The present document is being issued without formal editing.



**Reply to the question raised in paragraph 1 (a) of the list of issues  
(CMW/C/BEN/Q/1)**

1. The Act referred to establishes the conditions and procedure for recruitment, job placement and termination of employment contracts. It governs the relationship between employers and employees in the performance of their work.
2. The overall goal of the Act is to make labour market rules more flexible, with a view to ensuring full employment. The Act applies to all workers covered by the Labour Code, including migrant workers working in Benin.
3. The main changes introduced by the Act include the following:
  - Firstly, it is now possible to conclude part-time employment contracts in Benin (arts. 14 and 15)
  - Secondly, temporary work has been recognized (arts. 17–21)
  - Thirdly, employment contracts in force may be amended, as addressed in articles 24 and 25
  - Under the aforementioned articles, lawmakers have thus conferred on parties to contracts the ability to adjust the terms of those contracts, with such amendments permissible at the initiative of either the employer or the employee and subject only to the condition that the party planning an amendment must notify the other party, who then has 8 clear days to consider it
  - Fourthly, wrongful dismissal has been distinguished from dismissal that is irregular because of a failure to respect formal requirements (art. 29)
  - Fifthly, workers and employers can settle their differences amicably, before going to conciliation (arts. 38 and 48)

**Reply to the question raised in paragraph 1 (b) of the list of issues**

4. The laws of Benin firmly support migrant workers.
5. Several provisions of the Constitution protect the rights of migrant workers and members of their families. They have the same right to obtain an education and vocational training and to work as Beninese citizens (art. 3). They enjoy access to healthcare, healthy living conditions and safety at work (art. 12). They may be prosecuted, arrested or deported only in cases where the laws of the Republic have been violated (arts. 16 and 17). Migrant workers have the right to own property in Benin in accordance with the law in force on the topic (art. 22). They may also join a trade union to defend the rights of people with the same occupation (art. 25). They have the right to enter, reside in and work in Benin (art. 39).
6. However, Act No. 86-12 of 26 February 1986, which establishes regulations for foreign nationals in Benin, provides, in article 9 in particular, that any foreign national in an irregular situation must be deported within 72 hours.
7. The children of migrant workers are admitted to schools in Benin, irrespective of whether their parents have a documented status.
8. Other instruments are also relevant to this area, namely:
  - Act No. 98-004 establishing the Labour Code
  - Decree No. 2006-066 of 24 February 2006 regulating the accommodation of foreign nationals in Benin
  - Order No. 218 establishing a residence permit and setting out the conditions for its issuance

### **Reply to the question raised in paragraph 1 (c) of the list of issues**

9. There are no specific agreements between Benin and China, India or Lebanon on the management of migration flows or with other non-member States of the Economic Community of West African States (ECOWAS) on the protection of migrant workers' rights.

10. Despite the lack of such agreements, there are no restrictions on the enjoyment by migrant workers and members of their families of the rights recognized to them under the Constitution.

11. Under article 2 of Decree No. 2006-066 of 24 February 2006 regulating the accommodation of foreign nationals, nationals of ECOWAS member States and States with which Benin has an agreement do not need a visa to enter Benin.

12. Articles 32 and 34 of Act No. 2022-32 of 20 December 2022 on the Nationality Code of Benin allow foreign nationals who have lived for at least five years and work in Benin to acquire Beninese nationality by naturalization.

13. Outside the ECOWAS region, Benin signed a labour exchange agreement with Kuwait in 2009. The two countries are now engaged in consultations on a memorandum of understanding on the recruitment of Beninese domestic workers for work in Kuwait.

14. Benin is in the process of negotiating further such bilateral agreements with other countries in the Gulf region, including Qatar and the United Arab Emirates. The finalization and implementation of these instruments will, over time, protect Beninese migrant workers from abuse.

15. Benin is also a party to two other treaties that touch on issues related to migration and employment: (i) the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa, which was ratified on 26 February 1973; and (ii) the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, which was ratified on 28 February 2012.

### **Reply to the question raised in paragraph 1 (d) of the list of issues**

16. There is no specific convention promoting and protecting the rights of migrant workers and members of their families at the African regional level.

17. Benin has ratified all the regional treaties that provide general protection for human rights, including those of migrant workers and members of their families. They are:

- The African Charter on Human and Peoples' Rights, which is an integral part of the Constitution
- The African Charter on the Rights and Welfare of the Child

18. Benin, whose nationals form a significant diaspora in the region, would be unable to remain outside the ratification procedure for any regional instrument on migration and employment.

19. The Protocol to the Treaty Establishing the African Economic Community relating to Free Movement of Persons, Right of Residence and Right of Establishment remains a relevant regional instrument that could certainly be of interest to Benin in the future.

### **Reply to the question raised in paragraph 2 of the list of issues**

20. Benin is working to put in place a reliable monitoring system for persons entering and leaving its territory. Migrants from ECOWAS member States include nationals of the Niger, Togo, Nigeria, Ghana, Mali and Senegal.

21. Free movement and the right of establishment, the basic characteristics of the ECOWAS region, make migration a complex issue, particularly with respect to the citizens of countries such as Burkina Faso, Côte d'Ivoire, Mali, the Niger, Nigeria, Senegal and Togo.

Nationals of these countries form a large community that has long been established in Benin and is in a continuous situation of mobility in the subregion.

### **Reply to the question raised in paragraph 3 of the list of issues**

22. Benin has embarked on a series of reforms with a view to developing a migration policy that is consistent with the international, regional and national legal frameworks in place to support migrant workers. A new institutional framework has been put in place for the drafting of the country's migration policy.

23. The specific goals of the policy are to:

(a) Facilitate the employment of migrants by providing job opportunities for them and support for initiatives conducive to entrepreneurship and business creation

(b) Involve migrants and migrants' associations in Benin in the country's economic and social development

(c) Increase the amounts invested by migrants, proceeding from the assumption that migrants in particular want to play a role in the country's sustainable development in the period up to 2022

(d) At least double migrants' investments by further developing initiatives in emerging sectors

(e) Increase by at least 30 per cent the contribution made by migration to gross domestic product by further bolstering the resilience of communities

24. The resources needed to put the policy into operation will be mobilized as soon as the policy is approved.

### **Reply to the question raised in paragraph 4 of the list of issues**

25. Several entities are involved in the reception of migrant workers in Benin and the provision of guidance to them and assistance of all sorts. These include both government bodies and entities resulting from initiatives of civil society organizations and trade unions. The main stakeholders intended to be served by these entities, which are listed in the table below, are largely unaware of them.

<i>Entity</i>	<i>Services provided</i>
Ministry of Foreign Affairs	The Ministry ensures the implementation of government directives on upholding the rights of migrants through the Directorate General for Consular Affairs and Beninese Nationals Abroad and the Directorate for Legal Affairs.
Ministry of the Interior and Public Security	The Ministry's Central Office for the Protection of Minors is responsible for the reception and protection of migrants, including children, and works to reintegrate them into their families.  The Ministry's Directorate of Emigration and Immigration issues visas (resident visas, long-stay visas, long-stay business visas, tourist visas, short-stay resident visas, short-stay business visas and e-visas). The requirements for each of them can be found on the Directorate's website ( <a href="http://www.dei.gouv.bj">www.dei.gouv.bj</a> ).
	The Directorate also issues residence cards (temporary residence cards, ordinary residence cards and preferred residence cards).

Entity	Services provided
	It makes travel documents (Office of the United Nations High Commissioner for Refugees travel booklets and safe conducts) available to migrants.
	Under the Ministry, the National Civil Protection Agency offers the following services through the Permanent Secretariat of the National Commission for Refugees:
	<ul style="list-style-type: none"> <li>• Reception of and provision of information and guidance to asylum-seekers and refugees</li> <li>• Protection and monitoring of refugees</li> <li>• Issuance of refugee cards, which are equivalent to residence permits</li> <li>• Issuance of travel documents, laissez-passer and other documents to facilitate travel</li> </ul>
Ministry of Labour and Public Service	The Ministry coordinates efforts and initiatives to implement the Convention. It has some 100 labour inspectors who monitor and track the implementation of the Convention. Its work is funded from the national budget, with support from some technical and financial partners, including the International Organization for Migration (IOM), the United Nations Children's Fund (UNICEF), the European Union and the Friedrich-Ebert-Stiftung.
	The Ministry's Directorate General of Labour issues work permits allowing foreign workers to get jobs in Benin.
Ministry for Development and Coordination of Government Action	The Ministry's Directorate General for Development Policies provides nationwide technical support on migration issues.
Ministry for Small and Medium-sized Enterprises and the Promotion of Employment	The Ministry's National Agency for the Promotion of Employment supports policies on employment, including that of migrants.

### Reply to the question raised in paragraph 5 of the list of issues

26. Following the fourth cycle of the universal periodic review, the Government has endeavoured to continue providing financial and technical support to the Benin Human Rights Commission in 2024. In certain very specific areas, it has taken steps that deserve to be highlighted. For example:

(a) To build the Commission's institutional capacity, the Government began work on a bill to amend Act No. 2012-36 of 15 February 2013 on the establishment of the Commission. The amendments would make the Commission more compliant with the Paris Principles by incorporating the observations made to the country by the Subcommittee on Accreditation during the assessment for the Commission to obtain its A status. The amendments would also expand the Commission's areas of responsibility to include the national mechanism for the prevention of torture;

(b) The Government increased the Commission's budget from 627,865,000 CFA francs to 735,799,000 CFA francs. This increase will primarily allow the Commission to step up its activities on the ground; to a lesser extent, to carry out its new duties as national

preventive mechanism; and, additionally, to meet its operating expenses, particularly those relating to its regional presence;

(c) The Commission prioritizes speed in the handling of the complaints it receives. It therefore endeavours to process ordinary petitions within one month. The Commission's Directorate for Petitions and Legal Studies has thus far received no complaints from migrant workers or members of their families; such complaints would, however, be treated as special petitions, which are investigated as soon they are referred to the Commission.

27. Overall, the duties of Subcommission No. 1 are to "raise awareness of, protect, safeguard and guarantee the rights of children, stateless persons, refugees, immigrants and internally displaced persons in Benin". By working with non-governmental organizations (NGOs), particularly those that are members of a forum for consultation set up by the Benin Human Rights Commission, it has carried out several activities on immigrants' rights. For example, in September and December 2022, the Commission provided support for a study to be carried out on the current level of enjoyment by immigrants and stateless persons of their rights and delivered secure birth certificates to disadvantaged children in the commune of Malanville. The study, coordinated by the NGO Ola Africa, provided insight into the conditions on the ground in this commune on the border between Benin and the Niger. During this period, awareness-raising sessions were also held with immigrant women and the authorities in the commune on the rights and duties of the latter. The study showed that most of the target group worked in restaurants or bars or in trade or were sex workers, most of whom had been able to integrate into their communities.

28. The Commission also helped facilitate the issuance of 100 secure birth certificates for children born in Benin to immigrant parents so that they could enjoy their right to education.

29. The challenge now facing the Commission is to be able to mobilize the additional resources necessary to allow Subcommission No. 1 to respond to specific needs in terms of the advancement and protection of immigrants and others.

30. Subcommission No. 1 must therefore stay on course and continue working with governmental and non-governmental child protection bodies in order to promote and safeguard the rights of children, migrants, internally displaced persons and stateless persons (advocacy, lobbying, awareness-raising and training).

### **Reply to the question raised in paragraph 6 of the list of issues**

31. An Internet platform has been put in place for the diaspora with a view to identifying all Beninese nationals living abroad. The effective implementation of the platform will yield statistical data on Beninese nationals living abroad in an irregular situation.

### **Reply to the question raised in paragraph 7 of the list of issues**

32. Benin has made the declarations provided for in articles 76 and 77 of the Convention, as indicated in document No. 162/MTFP/DC/SP-C of 17 March 2022.

### **Reply to the question raised in paragraph 7 (a) of the list of issues**

33. There are currently no plans to ratify the International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97).

### **Reply to the question raised in paragraph 7 (b) of the list of issues**

34. With support from UNICEF, the ILO Labour Inspection (Agriculture) Convention, 1969 (No. 129) has been reviewed for conformity with national laws and practice. A file on ratification has already been prepared and reviewed by the Ministry's steering committee. A technical opinion has been requested from the Ministry of Agriculture, Livestock and

Fisheries on certain issues. The opinion was provided on 2 May, and steps are now being taken to address it. The technical file on ratification should be sent to the Government shortly.

### **Replies to the questions raised in paragraph 7 (c), (f) and (g) of the list of issues**

35. Reviews for conformity are expected to be begun in 2024, with technical and financial support from ILO, of the ILO Occupational Safety and Health Convention, 1981 (No. 155), the ILO Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and the ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159). The reviews for conformity of the ILO Employment Policy Convention, 1964 (No. 122), and the ILO Private Employment Agencies Convention, 1997 (No. 181), are planned for 2025.

### **Reply to the question raised in paragraph 7 (d) of the list of issues**

36. There are currently no plans to ratify the ILO Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173).

### **Reply to the question raised in paragraph 7 (e) of the list of issues**

37. There are as yet no plans to ratify the ILO Home Work Convention, 1996 (No. 177).

### **Reply to the question raised in paragraph 7 (h) of the list of issues**

38. The ILO Domestic Workers Convention, 2011 (No. 189), has been reviewed for conformity, with support from UNICEF. The technical file for ratification has already been prepared.

### **Reply to the question raised in paragraph 7 (i) of the list of issues**

39. With regard to the ILO Violence and Harassment Convention, 2019 (No. 190), the review for conformity has been completed and validated. The technical file has been prepared and is being submitted to the Government with a view to its transmission to the National Assembly for a vote on the bill to ratify the Convention.

Replies to the questions raised in paragraph 7 (j) and (k) of the list of issues

40. There are no plans to ratify the Protocol of 1990 to the ILO Night Work (Women) Convention (Revised), 1948 (No. 89), or the Protocol of 1995 to the ILO Labour Inspection Convention, 1947 (No. 81).

### **Reply to the question raised in paragraph 8 of the list of issues**

41. A platform has been put in place for all persons considering immigration or emigration. The Friedrich-Ebert-Stiftung provides financial support for this mechanism, in which civil society stakeholders, academics, scientists, networks of journalists and all persons working to disseminate the Convention take part. There is a centre associated with this platform where migrant workers can receive counselling, information, guidance and follow-up services. The platform has produced a guide on the reception of migrant workers and the provision of assistance to them, including help with settling in.

### **Reply to the question raised in paragraph 8 (a) of the list of issues**

42. The Government is taking steps to build capacity among State officials with respect to the rights of migrant workers, including in terms of their protection from arbitrary arrest

and detention, forced labour, torture and ill-treatment, gender-based violence and violence against children, including sexual violence, and unlawful killings. In this context, the labour ministry, in addition to measures already undertaken, plans to hold, under its annual workplan for 2025, training for labour inspectors, officers of the National Police, social workers, officials from the Ministry of Foreign Affairs, judges and prosecutors, social partners and civil society organizations on the protection of migrant workers' rights.

### **Reply to the question raised in paragraph 8 (b) of the list of issues**

43. No steps have been taken to make the Convention widely known in local languages.

### **Reply to the question raised in paragraph 9 of the list of issues**

44. Civil society organizations are working towards the effective application of a human rights-based approach so that all persons can enjoy their rights without discrimination.

45. The following organizations contribute to the implementation of the Convention:

(a) The Trade Union Network for the Defence of Migrant Workers of Benin, which seeks to protect and promote the rights of migrant workers so that they can play a greater role in the country's development;

(b) Human Rights Priority, which works to promote and uphold migrants' rights and provides counselling and legal assistance services;

(c) The Association of Journalists Reporting on Migration and Development, which has put in place a dynamic model for more effectively spreading migration- and development-related best practices;

(d) The NGO Enfants Solidaires d'Afrique et du Monde, which provides technical support and legal assistance to refugees and asylum-seekers;

(e) The NGO Migration et Développement Ici et Là-bas, which works to protect and provide assistance to persons in situations of mobility and vulnerable migrants and members of their families, in both development-related contexts and emergencies;

(f) The Union of ECOWAS Nationals, which has a subregional scope and helps government leaders promote integration through basic support for resident nationals;

(g) The NGO Terres Rouges, which focuses on the rights of children, including migrant children;

(h) The Laboratory for Population Dynamics and Sustainable Development at the Beninese Centre for Scientific Research and the Population, which conducts research in various fields, including borders and human mobility and migration at the University of Abomey-Calavi;

(i) Amnesty International Benin, which focuses on human rights and supports refugees and asylum-seekers, with assistance from IOM in Benin;

(j) IOM, which assists and supports migrants, including refugees and asylum-seekers, in Benin.

46. Non-governmental organizations work in perfect cooperation with State entities and, in addition, receive support from technical and financial partners.

47. They are involved in the drafting of reports and played a role in preparing the replies to the list of issues.

48. There is a platform for migration in Benin, for which the Friedrich-Ebert-Stiftung provides financial support. Civil society stakeholders, academics, scientists, networks of journalists and others working to disseminate the Convention take part in it. There is a centre associated with the platform where migrant workers can receive counselling, information, guidance and follow-up services. The platform has produced a guide on the reception of migrant workers and the provision of assistance to them, including help with settling in.

### **Reply to the question raised in paragraph 10 of the list of issues**

49. Government bodies apply the provisions of the Convention to migrant workers in all areas.

50. There is current case law on disputes relating to labour rights. This case law is relevant to all workers, including migrant workers, in disputes at work.

51. No labour courts are provided for in the law on the organization of the judiciary in Benin. However, disputes relating to labour law and social security law, including those involving migrant workers, are heard by the social law divisions of the trial courts and, in the event of appeal, by ordinary courts.

### **Reply to the question raised in paragraph 10 (a) of the list of issues**

52. Information not available.

### **Reply to the question raised in paragraph 10 (b) of the list of issues**

53. A draft decree on legal assistance and the regulations to implement it are in the process of being adopted. These instruments define the categories of persons eligible for legal assistance and/or legal aid.

### **Reply to the question raised in paragraph 10 (c) of the list of issues**

54. Information not available.

### **Reply to the question raised in paragraph 11 of the list of issues**

55. Information not available.

### **Reply to the question raised in paragraph 12 (a) of the list of issues**

56. Article 26 of the Constitution states that “the State shall ensure equality before the law for all, without distinction as to origin, race, sex, religion, political opinion or social status”.

57. This right, guaranteed by the Constitution, is reinforced by article 5 of Act No. 2017-05 of 29 August 2017 establishing the conditions and procedure for recruitment, job placement and termination of employment contracts in Benin, which states that any employer may use the services of a foreign worker, and article 4 of Act No. 98-004 of 27 January 1998 establishing the Labour Code, which provides that no employer may use sex, age, race or ethnicity as a basis for making recruitment decisions.

58. Articles 26 and 30 of the Labour Code expressly provide for the possibility of migrant workers’ being able to obtain employment.

59. The principle of non-discrimination is thus assured and enshrined in Benin with respect migrant workers and their families.

### **Reply to the question raised in paragraph 12 (b) of the list of issues**

60. Under the current laws of Benin, there are no provisions that discriminate against migrant workers or members of their families.

### **Reply to the question raised in paragraph 12 (c) of the list of issues**

61. Benin has a reception mechanism coordinated by the National Civil Protection Agency, which ensures that there is no discrimination. Screening is done to identify the most vulnerable persons, including pregnant women and children in difficult circumstances. Needs are identified and support measures taken in collaboration with social welfare centres, local government leaders and humanitarian partners. Activities are held to enhance their resilience.

62. Other entities such as the Directorate of Emigration and Immigration, IOM and the Beninese Agency for Border Area Management support this mechanism. In addition, the Red Cross has put in place a warning system that provides real-time information and allows for joint assessments to be conducted of the needs of displaced populations, both migrants and Beninese nationals, so that emergency assistance measures can be taken.

### **Reply to the question raised in paragraph 12 (d) of the list of issues**

63. Benin has a national platform for disaster risk reduction and adaptation to climate change, coordinated by the National Civil Protection Agency.

64. The Government has taken the necessary regulatory and institutional measures and put in place a dynamic mechanism for the prevention and management of natural and human-made disasters. This has involved, for example:

(a) The establishment of a national platform for disaster risk reduction and adaptation to climate change in Benin, for which the National Civil Protection Agency serves as permanent secretariat (Decree No. 2011-834 of 30 December 2011);

(b) The setting up of the National Disaster Response Fund, for which the technical steering committee is headed by the National Civil Protection Agency (Decree No. 2020-414 of 26 August 2020 on the establishment and management of the Fund);

(c) Measures and procedures relating to disaster risk reduction, health emergencies and civil protection in Benin, under which the Government can request international humanitarian assistance (Decree No. 2023-334 of 21 June 2023).

### **Nationally determined contribution**

65. The measures planned in connection with the nationally determined contribution in the energy, agriculture and waste sectors may help reduce cumulative greenhouse gas emissions by 20.15 per cent between 2021 and 2030. To achieve this objective, existing strategies, plans and programmes, key sectoral objectives and measures for climate change mitigation and adaptation have been identified in the relevant document.

66. To this end, the implementation of sectoral mitigation activities (agriculture, energy, forestry and waste) and adaptation activities in the eight sectors under consideration (agriculture, water resources, forestry, coastal industry, tourism, energy, health, and urban development and infrastructure) will be based on existing strategies, programmes and projects and future programmes and projects.

67. Projects already in place at the Ministry of Environment and Transport include the Local Climate Adaptive Living Facility, the Ecosystems-based Adaption Project, the Ouémé Basin Climate-Resilience Initiative and an integrated project for the restoration and improvement of degraded lands and forest ecosystems for greater climate resilience in Benin.

### **National adaptation plan**

68. Like most developing countries, Benin is particularly vulnerable to climate change. All socioeconomic groups and geographical areas of the country are affected. To begin with, seven sectors were identified as being the most vulnerable in the third national communication on climate change (Ministry for Living Environment and Sustainable Development, 2019), namely, agriculture, water resources, energy, health, infrastructure and urban development, tourism, forestry and coastal industry. The infrastructure and urban development sector, for which a vulnerability assessment was conducted during the

preparation of the national adaption plan, has been added to the list. To address this vulnerability, the Government plans to incorporate climate change impacts into its long-term economic analysis to facilitate the inclusion of climate change adaptation in the budget process. The Government received assistance from the Government of Germany in preparing climate change adaptation plans for the agriculture, water resources, health and coastal industry sectors. It has also received support from the Green Climate Fund and the United Nations Development Programme in connection with the adaptation plans for the forestry, energy, tourism, and infrastructure and urban development sectors. The sectors identified face sector-specific risks that limited their development even before the emergence of climate change-related challenges. The pre-global warming baseline for each sector can be presented succinctly.

69. All these measures are intended to mitigate the impact of climate change, including the impact of natural disasters, on vulnerable groups, without discrimination against migrants, in order to strengthen their resilience.

### **Reply to the question raised in paragraph 13 of the list of issues**

70. There is no racism, xenophobia, discrimination, ill-treatment or violence directed at migrant workers or members of their families in Benin.

### **Reply to the question raised in paragraph 14 of the list of issues**

71. Article 1 of Act No. 2011-26 of 9 January 2012 seeks to combat violence against women in Benin, regardless of their nationality or origin. In addition, the second paragraph of article 2 refers to Act No. 2006-19 of 5 September 2006, which provides for the punishment of sexual harassment and intimidation at work. These laws protect women living in Benin, whether they are Beninese nationals or migrants.

72. Articles 15, 17, 21 and 22 of the Act set out measures to prevent violence against women, particularly at work, and to protect women from such violence.

73. Legal protection for witnesses is envisaged in article 24 of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, ratified by Benin in 2004.

74. Act No. 2020-23 of 29 September 2020, amending and supplementing Act No. 2012-15 of 18 March 2013 establishing the Code of Criminal Procedure of Benin, provides for legal protection for witnesses in section VI, under articles 120 and following.

75. There are four aspects to the protection provided, namely:

- (a) Protection;
- (b) Support;
- (c) Assistance; and
- (d) The witness protection programme.

76. The measures taken with respect to each of the aspects are as follows:

- (a) Protection:
  - (i) All witnesses may ask to remain anonymous while being interviewed at the police station;
  - (ii) If there is a risk of reprisals, any witness may decline to provide an address or indicate their place of residence. In such cases, the police station may be given as the witness's place of residence;
  - (iii) The law protects witnesses and provides for penalties, including criminal ones, for any breach of confidentiality relating to witnesses;

- (b) Support: the safety and physical integrity of persons who witness acts of trafficking in persons are ensured;
- (c) Assistance: the National Women's Institute provides legal and social assistance to witnesses during legal proceedings;
- (d) The witness protection programme encompasses:
  - (i) Compensation for damages;
  - (ii) A change of address;
  - (iii) A change of identity.

77. Information on acts of violence against women and girls targeting migrant workers and members of their families is not yet available in the data-collection platform set up by the Ministry of Social Affairs and Microfinance.

78. The Integrated Data System for the Family, Women and Children-New Generation is a modern, dynamic application with a centralized database providing information on four main areas:

- (a) Social protection and national solidarity;
- (b) Child protection;
- (c) The promotion of the family, women and gender; and
- (d) The social inclusion of persons with disabilities and older persons.

79. These areas are addressed under themes highlighting the key elements of the measures taken to benefit the target groups of social welfare actions and the changes that have been brought about. For more information, please visit <https://sidoffe-ng.social.gouv.bj>.

80. In connection with updates for the new generation of the Integrated Data System for the Family, Women and Children, work is being done to include detailed information on the protection of the rights of all migrant workers and members of their families in future editions of the social welfare dashboard on child protection in Benin: <tbs-protection-de-l-enfant-2021-1695024907.pdf> (gouv.bj).

### **Reply to the question raised in paragraph 15 of the list of issues**

81. There is no discrimination against migrant workers and members of their families, regardless of whether or not they are nationals of ECOWAS member States.

### **Reply to the question raised in paragraph 16 of the list of issues**

82. Migrant workers working in Benin are protected against all forms of forced or compulsory labour in law and in practice.

83. Under article 23 of the Constitution, all persons enjoy freedom of religion, worship, thought and opinion, subject to the laws and regulations in force.

84. Article 39 of the Constitution provides that “foreign nationals enjoy the same rights and freedoms in Benin as nationals of Benin, under the conditions determined by law. They are required to comply with the Constitution and the laws and regulations of the Republic.”

85. Article 3 of the Labour Code categorically prohibits forced labour. Labour inspectors carry out random on-site checks in order to prevent and identify, with a view to punishment, cases of forced or compulsory labour.

86. The Directorate General of Labour is responsible for implementing measures to combat the worst forms of labour.

87. Migrant workers enjoy fundamental labour rights in both the formal and informal sectors. These include the prerogatives recognized under the ILO conventions ratified by Benin, namely:

- Freedom of association and protection of the right to organize
- The right of association and collective bargaining
- Protection against forced or compulsory labour
- Protection against all forms of discrimination in employment and occupation
- Protection against child labour
- Protection with respect to occupational safety and health

88. Furthermore, there are no constraints in law or in practice on the enjoyment of freedom of religion by migrant workers and their children in Benin.

89. Migrant workers and members of their families are free to practise the religion of their choice in Benin.

### **Reply to the question raised in paragraph 17 of the list of issues**

90. There are no cases in Benin of the detention or repatriation of migrant workers on account of their migration status.

### **Reply to the question raised in paragraph 18 of the list of issues**

91. The Criminal Code currently in force contains no offences relating to the irregular stay of foreign nationals in Benin. However, Act No. 86-012 of 26 February 1986 establishing regulations for foreign nationals in Benin and Decree No. 2006-066 of 24 February 2006 regulating the accommodation of foreign nationals in Benin are applicable.

92. These texts set out the conditions for residing in Benin and the possibility for persons without a stay permit to be deported.

93. Nationals of ECOWAS member States and those of States with which Benin has agreements do not need a visa to enter Benin. (Decree No. 2006-066 of 24 February 2006, art. 2)

94. Article 59 of the Code of Criminal Procedure guarantees all persons in police custody:

- The right to be informed of the charges against them
- The right to counsel
- The right to be examined by a doctor of their choosing
- The right to notify and be visited by a member of their family

95. Any migrants who may be in places of detention for other reasons have the same rights.

96. Authorized entities visit detention centres and provide assistance to detainees in forms such as food, healthcare and reintegration programmes. They also prepare reports on how to improve detainees' living conditions.

### **Reply to question raised in paragraph 19 of the list of issues**

97. Benin has not signed bilateral extradition agreements with Nigeria or the Congo.

98. However, in the context of its cooperation with other West African States on extradition matters, Benin implements the provisions of the ECOWAS Convention on Mutual Assistance in Criminal Matters, signed in Dakar on 29 July 1992, and the ECOWAS Convention on Extradition, signed in Abuja on 6 August 1994.

**Reply to paragraph 20 of the list of issues**

99. There are 15 Beninese embassies and one consulate general (in Lagos, Nigeria) currently operating, as follows:

- Africa: 4 embassies (Abuja, Rabat, Addis Ababa, Niamey)
- Europe: 2 embassies (Paris and Moscow)
- Asia: 2 embassies (Tokyo and Beijing)
- Middle East: 3 embassies (Riyadh, Kuwait City and Doha)
- America: 4 embassies (Washington, D.C., New York, Havana, Brasília)

100. With respect to the protection of migrant workers, the country's diplomatic missions abroad assume the role of the Government vis-à-vis Beninese nationals in the territory of the country in question. It is the responsibility of the consul to protect the interests of Beninese nationals, to represent them in the receiving State, and to provide them with necessary assistance before the authorities of that State.

101. They offer Beninese nationals legal and social assistance and assistance with consular documents, such as passports, laissez-passer and consular cards. They hold cultural events with migrant workers, inform them about events in the country and give them advice with respect to integration.

102. Serving as liaisons between citizens and the host country authorities, they advocate for host Governments to introduce immigration-friendly policies and to strengthen existing ones.

103. When diplomatic and consular missions become aware of employment-related issues or cases of abuse, arrest, detention or deportation, they take steps to provide the necessary assistance to the Beninese nationals concerned and implement the instructions of the Beninese authorities competent in the case.

**Reply to the question raised in paragraph 21 of the list of issues**

104. The general social security system does not cover workers in the informal sector, whether or not they are migrants.

105. The system covers workers in the formal sector who are subject to the provisions of the Labour Code.

106. Migrant workers are entitled to all the social security benefits for which they qualify under article 4 (1) of Act No. 98-019 of 21 March 2003 on the Social Security Code of Benin, which provides that "all workers subject to the provisions of the Labour Code shall be covered by the general social security system, regardless of their sex, race, nationality or origin, if they work primarily in Benin for one or more public or private employers, whatever the nature, form or status of their contract or the nature or amount of their remuneration".

107. With respect to the measures taken to guarantee in practice the fundamental rights of migrant workers, in particular those employed in the informal sector, and the mechanism used by the Labour Inspectorate to monitor the working conditions of migrant workers in both regular and irregular situations and the human, material and other resources available to them, it should be noted that, in order to guarantee in practice the fundamental rights of migrant workers employed in either the informal or formal sector, the Labour Inspectorate takes measures aimed at ensuring, through on-site inspections of businesses, that labour laws are being applied. Visits to businesses using foreign labour play a key role in the monitoring process. This means that the Labor Inspectorate must be able to carry out regular inspections in all private and partly State-owned businesses, including in the informal sector.

108. These on-site inspections of businesses focus on respect for workers' fundamental rights (freedom of association and collective bargaining, non-discrimination and abolition of forced labour and child labour) and, more generally, address:

- Compliance with general working conditions, such as those regarding workload and working hours, time off, weekly rest, wages and employment contracts
- Occupational health and safety, working conditions generally and the prevention of occupational risks
- Industrial relations (staff representation, social dialogue and prevention of labour disputes)
- Declaration of workers to the National Social Security Fund
- The specific employment and working conditions of migrants and their children

### **Reply to the question raised in paragraph 22 of the list of issues**

109. The National Social Security Fund offers the following benefits, covering six risks out of the minimum of nine set out in the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102): old-age benefit, employment injury benefit, family allowances, maternity benefit, invalidity benefit and survivors' benefit.

110. Workers subject to the Labour Code who meet the eligibility criteria are entitled to these benefits, regardless of whether or not they are migrants and whether they are men or women.

### **Reply to the question raised in paragraph 23 of the list of issues**

111. The Constitution of Benin (arts. 8, 12, 13 and 14) guarantees children's right to have access to instruction and to obtain an education.

112. It is noted in articles 4, 5 and 7 of Act No. 2011-26 of 9 January 2011 on the prevention and repression of violence against women that schooling is compulsory for all children under the age of 16, regardless of their sex, race or religion.

113. Read together, these articles show that the right to have access to instruction and to obtain an education is guaranteed for the children of migrants just as it is for the children of Beninese nationals. They all have access to and enjoy the same rights with respect to school facilities and equipment and the educational activities held in schools, without discrimination.

114. There are no discriminatory measures or barriers in this regard in Benin. All students have the same advantages and opportunities, whatever their status. For example, they enjoy free schooling and school meals, and they all take the same tests to obtain their primary education certificate.

115. The Ministry's database currently has no information on the relevant category of variables. The Ministry is already taking steps to include it in the data-collection tool for the start of the next school year.

116. Overall, data on child labour in Benin have shown a clear decrease since 2016. According to data obtained under the Multiple Indicator Cluster Surveys, the prevalence of child labour nationwide went from 52.5 per cent in 2014 to 19.9 per cent in 2022. Each year, some data are collected during on-site inspections on the number of children in child labour, providing an indication of the trend in the country in that regard. For example, in 2023, during a campaign urging zero tolerance for child labour in sectors with a high incidence of child labour in Benin, labour inspectors identified 5,664 children engaged in child labour, of whom 866 were removed, with 34 criminal proceedings being initiated. However, these data have not been disaggregated according to whether the children involved are the children of migrant workers or are unaccompanied. These variables will be included in the collection tools for future operations.

**Reply to the question raised in paragraph 24 of the list of issues**

117. All persons seeking health services or emergency medical care are provided access to them, regardless of whether they are foreign or Beninese nationals, as equal access to health is guaranteed by the State.

118. Article 2 of Act No. 2020-37 of 3 February 2021 on the protection of human health in Benin lays down rules for protection and points out that they apply to any person who lives in or enters Benin. The protection therefore extends to migrants living in Benin. The rules set out are intended to protect human beings and build human capital by promoting optimal conditions for high-quality care, promoting best practices in the health system, modernizing technical equipment in health facilities and expanding health infrastructure.

119. The main and most significant new element in the Act is the introduction of health insurance. Both public and private employers take out, entirely at their own expense, compulsory health insurance for their staff (Act No. 2020-37, art. 18). This means that migrant workers and their families are included.

120. Self-employed workers take out compulsory health insurance on their own behalf (Act No. 2020-37, art. 18).

121. The State takes out health insurance for persons recognized to be living in poverty, whether or not extreme, under procedures set by decree of the Council of Ministers (Act No. 2020-37, art. 19).

**Reply to the question raised in paragraph 25 of the list of issues**

122. Migrant workers and members of their families may transfer their earnings and savings to their countries of origin if they can show that those amounts came from their work and they comply with the regulations in force, including by obtaining an authorization to exchange foreign currency from the Ministry of Finance. The same applies to Beninese nationals living abroad.

123. For example, under the second paragraph of article 104 of Act No. 2006-17 on the Mining Code of Benin, “it is guaranteed that foreign nationals residing in Benin and employed by the holder of a mining permit may freely transfer a part of their salary to their country of origin provided that they have paid the various taxes and contributions due under the regulations in force”.

124. Article 18 of Act No. 2020-02 of 20 March 2020 on the Investment Code of Benin provides that: “Any expatriate who is a staff member of a company covered by this Code may freely transfer, in a manner consistent with foreign exchange regulations, all or part of his or her pay, whatever its legal nature or amount, expressed in local or foreign currency.”

125. Statistical data on the trends in and size of the amounts and on geographical distribution are not available. The National Financial Information Processing Unit is the body responsible for monitoring financial transaction flows.

**Reply to the question raised in paragraph 26 of the list of issues**

126. As a pilot project, Benin has developed a guide for persons seeking jobs as domestic workers in the Middle East. The guide provides information on the rights and obligations of migrant workers in the States of employment.

127. The Directorate of Emigration and Immigration, in partnership with IOM, holds awareness-raising sessions on the rights and duties of migrant workers in States of employment. There are also private entities that facilitate the emigration of prospective migrant workers to certain countries and hold training sessions for them on their rights and duties in the destination countries.

128. In October 2023, the honorary consulate of Benin in Libreville, together with IOM in Gabon and officials from the Directorate General of Documentation and Immigration of

Gabon, organized a workshop in Libreville on strengthening the protection of migrants on the move, with a view to putting in place effective operational mechanisms to ensure better management of migration flows. The cases of migrants in situations of vulnerability in Benin, Togo and Gabon were discussed.

### **Reply to the question raised in paragraph 27 of the list of issues**

129. The following measures have been taken:

- The identification of Beninese nationals abroad and their inclusion on the list of voters
- The installation of polling stations in diplomatic missions
- The issuance and renewal of civil status documents online

130. The laws in force do not prevent Beninese nationals living abroad from exercising their right to vote, to be elected and to hold public office.

### **Reply to the question raised in paragraph 28 (a) of the list of issues**

131. Family reunification is not prohibited for migrant workers. However, family reunification may not be possible in some cases because of security restrictions.

### **Reply to the question raised in paragraph 28 (b) of the list of issues**

132. There are no restrictions on obtaining such administrative authorization.

### **Reply to the question raised in paragraph 29 of the list of issues**

133. Under national legislation, the enjoyment by migrant workers of the benefits of their stay permit is not affected by the termination of an employment contract. Similarly, the renewal of a stay permit is not tied solely to the validity of the permit holder's employment contract.

### **Reply to the question raised in paragraph 30 of the list of issues**

134. Some agencies have been authorized by the State to facilitate emigration to Gulf countries such as Kuwait, Oman and Lebanon. These are Works Abroad SARL, Job Pour Tous, Digital Olayemi Consulting, Beselao and Maïga Inscription.

135. These private entities have representatives in the countries receiving the migrant workers, who place the workers with host entities that serve as liaisons to ensure sound, equitable and humane conditions in connection with migration.

136. Some entities have been set up to address irregular migration, such as the National Civil Protection Agency, the Central Office for the Protection of Minors and the Beninese Agency for Border Area Management. These entities work together under the coordination of the National Civil Protection Agency to promote sound, equitable and humane conditions in connection with regular and/or irregular international migration. There are also several multilateral and bilateral agreements intended to strengthen legal migration channels and address the root causes of irregular migration.

137. Measures taken in the context of the implementation of agreements signed with Togo, Burkina Faso, the Congo, Gabon, Nigeria and Kuwait are helping to strengthen legal migration channels and address the root causes of irregular migration. Similar agreements are planned with other countries, such as Qatar and the United Arab Emirates.

**Reply to the question raised in paragraph 31 of the list of issues**

138. Benin has adopted no laws on the smuggling of migrants consistent with the Protocols to the United Nations Convention against Transnational Organized Crime.

139. However, people smuggling is an offence under the Criminal Code, the Children's Code, Act No. 2011-26 of 9 January 2012 on the prevention and repression of violence against women and girls and Act No. 2006-04 of 5 April 2006 establishing conditions for the transfer of minors and the suppression of child trafficking in Benin.

140. There is a strategy, accompanied by an action plan, for combating trafficking in persons. It is coordinated by the National Committee to Combat Trafficking in Persons, which brings together several ministries and is under the Ministry for the Development and Coordination of Government Action.

**Reply to the question raised in paragraph 31 (a) of the list of issues**

141. No cases of domestic servitude, forced labour or sexual exploitation of migrant workers have yet been recorded by the Beninese authorities.

142. Awareness-raising events are held daily for all segments of society. They are carried out in all languages, especially in highly affected areas. There are also now tighter controls at official and unofficial border crossings.

143. When criminal investigation officers assigned to the Central Office for the Protection of Minors and Families and for the Prevention of Human Trafficking, an umbrella unit, receive reports of cases, they take the steps required under the Code of Criminal Procedure and bring the suspected perpetrators, co-perpetrators or accomplices before the various public prosecutors' offices.

**Reply to the question raised in paragraph 31 (b) of the list of issues**

144. The following should be noted:

(a) The activities of the National Committee to Combat Trafficking in Persons and the National Steering Committee;

(b) The awareness-raising events held daily for all segments of society, in all languages and especially in highly affected areas;

(c) The tightening of controls at official and unofficial border crossings;

(d) The systematic checks of all persons at borders or airports who are travelling with minors.

145. The protection provided to victims of trafficking in persons encompasses accommodation (reception and transit centres for children, under the Central Office for the Protection of Minors), healthcare, food, psychological assistance, return to their families for victims who are Beninese nationals, monitoring and reintegration by the integrated social protection service centres, which work with embassies, IOM, the West Africa Network for the Protection of Children and others for the return of non-nationals to their countries of origin.

146. Benin receives assistance under a project to support efforts to combat trafficking in persons in the countries of the Gulf of Guinea. The purpose of the project is to strengthen institutional and operational capacity, enforcement of the law, victim protection and regional cooperation. At the national level, there is a multi-stakeholder mechanism for providing support to victims of trafficking in persons, known as the minimum assistance package.

147. The Fondation Follereau Luxembourg has also developed a project to combat trafficking in children in northern Benin.

148. The "Trafficking in Human beings" project (Project THB West Africa), coordinated by the International Criminal Police Organization, focuses on capacity-building for law

enforcement officers and judicial officials and covers Benin, Burkina Faso, Côte d'Ivoire and Togo.

149. In terms of access to justice, interviews are held with victims, and suspected perpetrators, co-perpetrators and accomplices are questioned and brought before public prosecutors, resulting in convictions, restitution of property to victims and compensation.

### **Reply to the question raised in paragraph 31 (c) of the list of issues**

150. The following have been introduced:

- (a) Two regional offices of the Central Office for the Protection of Minors that focus on the fight against trafficking, and focal points in several district police stations;
- (b) Cross-border cooperation to facilitate information-sharing by police;
- (c) Tighter controls of persons entering and exiting the country;
- (d) Registration of foreign nationals and an early warning system (telephone hotlines using the numbers 138, for the hotline for children, and 166).

151. In addition, police border units carry out controls and screening and patrol the border in order to identify human traffickers and victims. After arrest and the ensuing legal proceedings, the perpetrators of trafficking in children or in persons are referred to the competent courts to be dealt with according to the law.

152. Controls at official and unofficial border crossings are being tightened, and systematic checks are being conducted of all persons at borders or airports who are travelling with minors.

### **Reply to the question raised in paragraph 31 (d) of the list of issues**

153. An investigation is launched whenever a case of trafficking in persons is brought to the attention of the judicial authorities.

154. Training sessions have been held on trafficking in persons for stakeholders involved in its prevention and punishment.

155. In addition, a more professional police force, with sufficient resources, has been put in place.

156. A national action plan, strong local, regional and international coalitions and a poverty reduction strategy are also needed to reinforce these efforts.

157. Statistics on the number of judgments and convictions are not available.

### **Reply to the question raised in paragraph 31 (e) of the list of issues**

158. The strategy for providing support and the programmes implemented to help victims rebuild their lives and promote their physical, psychological and social rehabilitation contain the following elements:

- Initial identification of the victim
- Provision of immediate emergency assistance to meet primary needs
- Long-term assistance with rehabilitation and reintegration through psychosocial support and a plan for self-empowerment.

159. Beninese stakeholders providing support to victims base their efforts on the procedures for providing care and the standards set out by ECOWAS (West Africa Network for the Protection of Children) and the minimum assistance package.

160. In terms of the efforts to provide support and programmes to help victims rebuild their lives by promoting their physical, psychological and social rehabilitation, the Ministry of

Social Affairs is engaged in work on the subregional procedures for the protection of and provision of assistance to victims, adopted in Abuja, Nigeria, in December 2016. These procedures include:

- The identification of the child or the adult victim
- The provision of emergency care to the child or the adult victim
- A study of the personal situation of the child or the adult victim
- An evaluation of the family and environment of the child or the adult victim
- Alternatives with respect to the placement of the child or the adult victim outside the family or his or her return
- Social, educational and workforce reintegration
- Follow-up with child victims after their return to their families and/or communities

161. With respect to family and community support, stakeholders have developed a unified procedure for the various types of vulnerability affecting children.

162. The procedure is referred to as the minimum assistance package, and it provides for shelters for child victims. There are three reception and transit centres for children in Benin, which welcome children in difficult situations, and numerous centres for the reception and protection of children, which are private.

163. With regard to family and community support for adults, available to all persons regardless of their nationality or migration status, the Ministry of Social Affairs and Microfinance has drawn up standard operating procedures for the provision of care to all victims of such violence, including migrants and members of their families.

164. The promulgation by the President of Act No. 2021-11 of 20 December 2021 establishing special measures to prevent gender-related offences and to protect women in Benin was intended to provide a multisectoral response, involving coordinated efforts by the social welfare and health services, judicial authorities, human rights stakeholders, security forces and communities. In connection with the application of the standard operating procedures, the care provided to victims of gender-based violence encompasses the following five components:

- Psychological support
- Social support
- Medical treatment
- Psychological treatment
- Legal assistance and aid

165. Psychological support is based primarily on listening; such support reassures victims and allows them to let go of their anxiety. It cuts across all aspects of the care provided.

166. Social support involves a series of social interventions and the provision of assistance to the persons concerned and includes:

- A meeting with the victim
- Information-gathering
- Analysis and diagnostic assessment
- Identification of short-, medium- and long-term measures
- Definition of strategies and means of implementation
- Operationalization
- Monitoring and evaluation

167. Medical treatment involves the administering of appropriate medical care to the persons in question. A medical certificate is issued by a doctor or an authorized agent. It reflects the sexual and physical assaults.

168. Psychological treatment refers to the process of providing support and offering therapy to persons suffering from trauma because of the physical, emotional, physiological and social effects of the violence to which they have been subjected.

169. Complainants receiving legal assistance or aid are welcomed and provided guidance, support and information and receive legal advice and assistance in the drafting of documents in preparation for possible proceedings or of requests for provisional measures. Legal aid refers to assistance provided, with the help of lawyers, to victims in court.

170. In order for the five components of care for victims of gender-based violence to be implemented, providers must have the appropriate attitudes, knowledge and skills. They must abide by the basic principles of protection: confidentiality, respect and non-discrimination.

171. Protecting victims and those around them, whether children or people who have offered their help, must be the top priority for all those involved in the response. Persons who file complaints or report cases also expose themselves to further violence from those around them. This principle also covers the family and all persons involved in the management of the case. In the communes, groups of stakeholders involved in the implementation of the standard operating procedures, known as the standard operating procedures committee, work together to ensure that cases of gender-based violence are managed properly.

172. Confidentiality entails “ensuring that information is accessible only to those who are authorized to access it”. This is one of the cornerstones of high-quality care management. The requirement of confidentiality means that information must not be disclosed to a third party without the consent of the person concerned. It is a matter of safety, trust and ethics and is an obligation shared by all professionals involved in responding to cases of gender-based violence.

173. Non-discrimination refers to the prohibition against according individuals less favourable treatment because of characteristics such as their appearance or their real or presumed beliefs, age, sex, race, ethnicity, religion or nationality.

174. A transit centre for persons engaged in begging was established in the commune of Kpomassè in May 2022, and it brings together migrants of all nationalities, women and children. The centre provides comprehensive assistance and training to empower women and girls.

### **Reply to the question raised in paragraph 31 (f) of the list of issues**

175. Several training programmes have been held for persons working on this issue.

176. A capacity-building programme for schoolteachers was held with support from Amnesty International Benin, with 74 teachers trained in human rights and children’s rights in 2021 and 54 teachers and 48 school directors trained in children’s rights in 2022.

177. Between 2021 and 2024, Expertise France held several training sessions for judges and prosecutors on issues related to trafficking in persons.

178. Plan International Benin has held several training sessions for judges on trafficking in persons.

179. In 2022, 25 judges and prosecutors were trained under the project to support efforts to combat trafficking in persons in the countries of the Gulf of Guinea.

180. With support from the Friedrich-Ebert-Stiftung, a series of activities for persons working in child protection were carried out under the multi-stakeholder platform.

**Reply to the question raised in paragraph 31 (g) of the list of issues**

181. The financial resources allocated to the detection and elimination of cases of trafficking and the protection of victims are distributed among all the entities involved in prevention and protection. It would be difficult to carry out a precise assessment.

**Reply to the question raised in paragraph 31 (h) of the list of issues**

182. The databases known as the Integrated Data System for the Family, Women and Children-New Generation and the Comprehensive System for the Production, Analysis and Management of Statistics are in place at the Ministry of Social Affairs and Microfinance and the Ministry of Justice and Legislation, respectively.

**Reply to the question raised in paragraph 31 (i) of the list of issues**

183. The possibility mentioned exists.

**Reply to the question raised in paragraph 31 (j) of the list of issues**

184. Several awareness-raising campaigns have been held to prevent the dissemination of misleading information on emigration and immigration. These campaigns have been organized by both State entities and NGOs.

185. In addition, embassies have recording devices that are automatically activated to counter misinformation.

**Reply to the question raised in paragraph 31 (k) of the list of issues**

186. Several agreements have been or are being signed:

- A tripartite agreement between Benin, Togo and Burkina Faso on trafficking in persons
- An agreement with the Congo on trafficking in persons
- Agreements with Côte d'Ivoire and Nigeria, which are in the process of being finalized

187. Benin receives assistance under a project to support efforts to combat trafficking in persons in the countries of the Gulf of Guinea. The purpose of the project is to strengthen institutional and operational capacity, enforcement of the law, victim protection and regional cooperation.

188. To supplement the information provided on the issue raised in paragraph 30, it should be noted that, following a joint meeting with Gabon in February 2024, Benin plans to hold bilateral consultations with the various countries with which it has signed cooperation agreements on combating people smuggling and trafficking in persons with a view to following up on the implementation of the agreements and making new commitments to counter the practices.

**Reply to the question raised in paragraph 31 (l) of the list of issues**

189. Benin does not have legislation on the handling of cases of missing migrants. The same substantive and procedural rights that apply in cases of missing Beninese nationals also apply in cases involving migrants, along with all the procedural guarantees.

**Reply to the question raised in paragraph 32 of the list of issues**

190. Information not available.

191. The Beninese government launched a major initiative with its creation of a register for Beninese nationals living abroad. The purpose of the register is to improve the identification of and support provided to Beninese nationals living outside the country.

192. These measures are designed to improve the situation of Beninese nationals abroad, regardless of whether they are in a regular or irregular situation.

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